

## REMARKS

Claims 1-20 were pending.

Claim 15-16 and 20 are cancelled.

Claim 1, 8, 9, 10, 11 and 14 are amended.

Claims 1-14 and 17-19 are pending.

### **Disclosure**

Applicants have amended the disclosure on page one last line to read "aluminum" as suggested by the examiner.

### **35 USC 112, first paragraph**

Claim 20 is cancelled making this rejection moot.

### **35 USC 112, second paragraph**

Claim 1 is amended as suggested by the examiner. The claim reads

"flocculating the suspended solids and lignin in the fermentation liquor". Furthermore the limitations of claims 15 and 16 have been incorporated into claim 1.

Claims 15 and 16 are cancelled as they no longer limit claim 1.

Claims 8-11 and 14 have also been amended to change dependency to claim 1.

No new matter has been added.

### **35 USC 103(a)**

**Claims 1-3, 13, 17 and 19 are rejected under 35 USC 103(a) as being unpatentable over Brink, US 5,536,325 in view of Minowa.**

**Claims 4-6, 8-12 and 14-16 are rejected under 35 USC 103(a) as being unpatentable over Brink US 5,536,325 in view of Minowa and further in view of Hughes US 6,967,085.**

**Claim 7 is rejected under 35 USC 103(a) as being unpatentable over Brink US 5,536,325 in view of Minowa and further in view of Moffett US 6,132,625.**

**Claim 18 is rejected under 35 USC 103(a) as being unpatentable over Brink 5,536,325 in view of Minowa and further in view of Chieffalo, US 5,975,439**

Examiner has stated in his last office response that if Claim 1 were written properly to overcome the 35 USC 112 rejections and a step for flocculating suspended solids and lignin in the fermentation liquor and a further mechanical dewatering stage of claim 16 is included to separate the flocculated suspended solids and lignin as cake solids would be allowable.

The applicants have amended claim 1 as suggested.

As the step of flocculating suspended solids and lignin in the fermentation liquor and the now required mechanical dewatering step to separate the flocculated suspended solids and lignin as cake solids are not suggested by any combination of the above references, the applicants aver the application is in condition for allowance.

#### **Double Patenting Rejections**


Applicants are enclosing terminal disclaimers for co-pending Application Nos. 10/587,582 and 10/587,583.

Reconsideration and withdrawal of the rejection of claims 1-14 and 17-19 is respectfully solicited in light of the remarks and amendments *supra*.

Since there are no other grounds of objection or rejection, passage of this application to issue with claims 1-14 and 17-19 is earnestly solicited.

Applicants submit that the present application is in condition for allowance. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,

A handwritten signature in cursive script, reading "Shiela A. Loggins".

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Enclosures: Terminal disclaimers for 10/587,582 and 10/587,583.